



# House of Representatives

General Assembly

**File No. 142**

February Session, 2006

Substitute House Bill No. 5664

*House of Representatives, March 27, 2006*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING THE DEPARTMENT OF TRANSPORTATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-262 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The following vehicles shall not be operated upon any highway  
4 or bridge without a special written permit from the Commissioner of  
5 Transportation, as provided in section 14-270, as amended, specifying  
6 the conditions under which they may be so operated:

7 (1) A vehicle, combination of vehicle and trailer or commercial  
8 vehicle combination, including each such vehicle's load, which is  
9 wider than one hundred two inches or its approximate metric  
10 equivalent of two and six-tenths meters or one hundred two and  
11 thirty-six-hundredths inches, including its load, but not including the  
12 following safety devices: Reasonably sized rear view mirrors, turn  
13 signals, steps and handholds for entry and egress, spray and splash  
14 suppressant devices, load-induced tire bulge and any other state-

15 approved safety device which the Commissioner of Transportation  
16 determines is necessary for the safe and efficient operation of such a  
17 vehicle or combination, provided no such state-approved safety device  
18 protrudes more than three inches from each side of the vehicle or  
19 provided no such device has by its design or use the capability to carry  
20 cargo. Such permit shall not be required in the case of (A) farm  
21 equipment, (B) a vehicle or combination of vehicle and trailer loaded  
22 with hay or straw, (C) a school bus equipped with a folding stop sign  
23 or exterior mirror, as approved by the Commissioner of Motor  
24 Vehicles, which results in a combined width of bus and sign or bus  
25 and mirror in excess of that established by this subsection, [or] (D) a  
26 trailer designed and used exclusively for transporting boats when the  
27 gross weight of such boats does not exceed four thousand pounds, or  
28 (E) a recreation vehicle with appurtenances, including safety devices  
29 and retracted shade awnings, no greater than six inches on each side  
30 for a maximum allowance of twelve inches; and

31 (2) A combination of truck and trailer which is longer than sixty-five  
32 feet except (A) a combination of truck and trailer or tractor and  
33 semitrailer loaded with utility poles, both trailer and semitrailer  
34 having a maximum length of forty-eight feet, utility poles having a  
35 maximum length of fifty feet and the overall length not to exceed  
36 eighty feet, (B) a trailer designed and used exclusively for transporting  
37 boats when the gross weight of such boats does not exceed four  
38 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle  
39 combination, (E) combinations of vehicles considered as specialized  
40 equipment in 23 CFR 658.13(e), as amended, or (F) a tractor equipped  
41 with a dromedary box operated in combination with a semitrailer  
42 which tractor and semitrailer do not exceed seventy-five feet in overall  
43 length.

44 (b) A special written permit may not be issued by the Commissioner  
45 of Transportation for a combination of vehicles consisting of a vehicle  
46 drawing a combination of three or more trailers or semitrailers, except  
47 any such combination engaged in the transportation of an indivisible  
48 load.

49 (c) The maximum length of a single unit vehicle shall be forty-five  
50 feet and the maximum length of the semitrailer portion of a tractor-  
51 trailer unit shall be forty-eight feet. A trailer greater than forty-eight  
52 feet and less than or equal to fifty-three feet in length, that has a  
53 distance of no more than forty-three feet between the kingpin and the  
54 center of the rearmost axle with wheels in contact with the road  
55 surface, may be operated on (1) unless posted otherwise, United States  
56 and Connecticut routes numbered from 1 to 399, inclusive, 450, 476,  
57 508, 693 and 695 and the national system of interstate and defense  
58 highways, and (2) state and local roads for up to one mile from the  
59 routes and system specified in subdivision (1) of this subsection for  
60 access to terminals, facilities for food, fuel, repair and rest, and points  
61 of loading and unloading. The Commissioner of Transportation shall  
62 permit additional routes upon application of carriers or shippers  
63 provided the proposed additional routes meet the permit criteria of the  
64 Department of Transportation. Such length limitation shall be  
65 exclusive of safety and energy conservation devices, such as  
66 refrigeration units, air compressors or air shields and other devices,  
67 which the Secretary of the federal Department of Transportation may  
68 interpret as necessary for the safe and efficient operation of such  
69 vehicles, provided no such device has by its design or use the  
70 capability to carry cargo.

71 (d) Violation of any provision of this section shall be subject to a fine  
72 of five hundred dollars.

73 Sec. 2. Section 14-264 of the general statutes is repealed and the  
74 following is substituted in lieu thereof (*Effective from passage*):

75 No vehicle, except a vehicle loaded with loose hay or straw whose  
76 height, with its load, exceeds [thirteen feet six inches] fourteen feet,  
77 shall be operated upon any highway or bridge without a special  
78 written permit from the Commissioner of Transportation as provided  
79 in section 14-270, as amended, specifying the period for which and the  
80 other conditions under which such vehicle shall be permitted to be so  
81 operated. Violation of the provision of this section shall be subject to a

82 fine of one thousand five hundred dollars.

83 Sec. 3. Section 15-13c of the general statutes is repealed and the  
84 following is substituted in lieu thereof (*Effective from passage*):

85 (a) There is created within the Department of Transportation, for  
86 administrative purposes only, the Connecticut Pilot Commission to  
87 assist and advise the Commissioner of Transportation on matters  
88 relating to the licensure of pilots, the safe conduct of vessels and the  
89 protection of the ports and waters of the state, including the waters of  
90 Long Island Sound.

91 (b) The commission shall consist of nine members, one of whom  
92 shall be the Commissioner of Transportation or the commissioner's  
93 designee and one of whom shall be an active licensed pilot in this state  
94 operating on the Connecticut side of the rotation system for the  
95 assignment of pilots. The pilot member shall be designated by a simple  
96 majority vote of pilots operating on the Connecticut side of the rotation  
97 system for the assignment of pilots. The remaining seven members  
98 shall be appointed as follows: The Governor shall appoint one member  
99 representing a maritime-related industry, which industry shall not  
100 include a recreational industry; the president pro tempore of the  
101 Senate shall appoint one member representing the public with an  
102 interest in the environment; the majority leader of the Senate shall  
103 appoint one member representing the public with an interest in the  
104 environment; the minority leader of the Senate shall appoint one  
105 member who shall be a retired ship's master or captain; the speaker of  
106 the House of Representatives shall appoint one member representing a  
107 maritime-related industry, which industry shall not include a  
108 recreational industry; the majority leader of the House of  
109 Representatives shall appoint one member representing a maritime-  
110 related industry, which industry shall not include a recreational  
111 industry; the minority leader of the House of Representatives shall  
112 appoint one member with an expertise in the area of admiralty law.  
113 Each member shall be a resident of the state, provided no member  
114 shall be an active licensed pilot, except the one active Connecticut

115 licensed pilot operating in and designated by a simple majority of  
116 pilots operating on the Connecticut side of the rotation system for the  
117 assignment of pilots. Members shall be reimbursed for necessary  
118 expenses incurred in the performance of their duties.

119 (c) On or before July 1, 1992, in accordance with the provisions of  
120 subsection (b) of this section (1) the Governor, the speaker of the  
121 House of Representatives and the majority leader of the Senate shall  
122 each appoint one member who shall serve until July 1, 1996; (2) the  
123 president pro tempore of the Senate, the majority leader of the House  
124 of Representatives and the minority leader of the House of  
125 Representatives shall each appoint one member who shall serve until  
126 July 1, 1995; and (3) the minority leader of the Senate shall appoint one  
127 member who shall serve until July 1, 1994. Thereafter, members shall  
128 serve for a term of four years and any vacancies on the commission  
129 shall be filled for the remainder of the term in the same manner as the  
130 original appointment.

131 (d) The Governor shall appoint the chairperson of the commission  
132 who shall not be an employee of the Department of Transportation.  
133 The commission shall elect a vice-chairperson and any other officers  
134 that it deems necessary from among its membership. The powers of  
135 the commission shall be vested in and exercised by not less than [three]  
136 five members serving on the commission. This number shall constitute  
137 a quorum and the affirmative vote of [three] five members present at a  
138 meeting of the commission shall be necessary for any action taken by  
139 the commission.

140 (e) The commission shall [advise the commissioner on the following  
141 matters] set: (1) The required qualifications of pilots for eligibility for  
142 licensure, including background, training, length of service and  
143 apprenticeship; (2) examination requirements for obtaining a pilot's or  
144 other type of operating license; and (3) the appropriate number of  
145 state-licensed pilots necessary for the safe, efficient and proper  
146 operations in the ports and waters of the state, including the waters of  
147 Long Island Sound. [; (4)]

148        (f) The commission shall advise the commissioner on (1) the  
149 establishment of fair and reasonable rates of pilotage, pursuant to  
150 section 15-14, including establishment of a hearing process for the  
151 setting of fair and reasonable rates of pilotage and licensure fees; ~~[(5)]~~  
152 (2) the policy of the state on the establishment of a rotation system for  
153 the assignment of pilots; ~~[(6)]~~ (3) the policy of the state on the issuance  
154 of reciprocal licenses to pilots licensed in other states; ~~[(7)]~~ (4) the  
155 enhancement of safety and protection of the marine environment  
156 during the operation of vessels and the prevention of oil spills and  
157 other marine incidents; ~~[(8)]~~ (5) the proper equipment required on a  
158 vessel and the operation of vessels used by pilots for embarkation and  
159 disembarkation; ~~[(9)]~~ (6) the designation of pilot boarding stations;  
160 ~~[(10)]~~ (7) the proper safety equipment provided by vessels to enable  
161 pilots to safely board vessels; ~~[(11)]~~ (8) the state's policy relative to  
162 matters of interstate pilotage; and ~~[(12)]~~ (9) any other matter requested  
163 by the commissioner.

164        ~~[(f)]~~ (g) The commission shall: [, at the request of the commissioner:]  
165 (1) Assist in the preparation of examinations for pilot licensure and  
166 other operating certificates; (2) evaluate the examination results of  
167 applicants for a pilot license and make appropriate recommendations  
168 concerning such applicants' qualifications; (3) assist in the review and  
169 monitoring of the performance of pilots, including compliance with  
170 state policies, procedures and regulations; (4) review applications for  
171 reciprocal licensure and make appropriate recommendations  
172 concerning such pilot's qualifications; (5) recommend the duties of  
173 pilots for the reporting of faulty pilot boarding and disembarkation  
174 systems and of violations of any state laws; (6) review and investigate  
175 any marine incident or casualty and conduct hearings to determine the  
176 causes of any such incident; (7) investigate and make  
177 recommendations on disciplinary measures, including such measures  
178 as letters of caution, admonition or reprimand and licensure  
179 suspension or forfeiture, including disciplinary matters relative to  
180 alcohol or drug abuse; (8) retain an independent investigator to  
181 compile a comprehensive factual record of any marine incident or  
182 casualty; (9) assist in the review of complaints filed with the

183 commissioner; and (10) assist in the preparation of any report or  
184 matter relative to pilotage.

185 Sec. 4. Subsection (c) of section 13a-80 of the general statutes is  
186 repealed and the following is substituted in lieu thereof (*Effective from*  
187 *passage*):

188 (c) Notwithstanding the provisions of sections 3-14b, as amended,  
189 and 4b-21, [to the contrary,] no residential property upon which a  
190 single-family dwelling is situated at the time it is obtained by the  
191 department for highway purposes may be sold or transferred pursuant  
192 to this section within twenty-five years of the date of its acquisition  
193 without the department first offering the owner or owners of the  
194 property at the time of its acquisition a right of first refusal to purchase  
195 the property at the amount of its appraised value as determined in  
196 accordance with the provisions of subsection (b) of this section, except  
197 for property offered for sale to municipalities prior to July 1, 1988.  
198 Notice of such offer shall be sent to each such owner by registered or  
199 certified mail, return receipt requested, within one year of the date a  
200 determination is made that such property is not necessary for highway  
201 purposes. Any such offer shall be terminated by the department if it  
202 has not received written notice of the owner's acceptance of the offer  
203 within sixty days of the date it was mailed. Whenever the offer is not  
204 so accepted, the department shall offer parcels which meet local  
205 zoning requirements for residential or commercial use to other state  
206 agencies and shall offer parcels which do not meet local zoning  
207 requirements for residential or commercial use to all abutting  
208 landowners in accordance with department regulations. [The  
209 Commissioner of Transportation] If the sale or transfer of the property  
210 pursuant to this section results in the existing property of an abutting  
211 landowner becoming a nonconforming use as to local zoning  
212 requirements, the Commissioner of Transportation may sell or transfer  
213 the property to that abutter without public bid or auction. The  
214 commissioner shall adopt regulations, in accordance with the  
215 provisions of chapter 54, establishing procedures for the disposition of  
216 excess property pursuant to the provisions of this subsection in the

217 event such property is owned by more than one person.

218 Sec. 5. Section 10a-92 of the general statutes is repealed and the  
219 following is substituted in lieu thereof (*Effective from passage*):

220 The Board of Trustees of the Connecticut State University System  
221 shall appoint a committee at each campus to establish traffic and  
222 parking regulations for passenger vehicles on such campus. Such  
223 traffic committee, subject to the approval of said board and of the State  
224 Traffic Commission, may prohibit, limit or restrict the parking of  
225 passenger vehicles, determine speed limits, install stop signs, restrict  
226 roads or portions thereof to one-way traffic and designate the location  
227 of crosswalks on any portion of any road or highway subject to the  
228 care, custody and control of said board of trustees, order to have  
229 erected and maintained signs designating such prohibitions or  
230 restrictions, and impose a fine upon any person who fails to comply  
231 with any such prohibition or restriction. Violation of any provision of  
232 this section shall be an infraction. All fines so imposed at each state  
233 university, less an amount not to exceed the cost of enforcing traffic  
234 and parking regulations, shall be deposited in the institutional  
235 operating account of such state university for scholarships and library  
236 services or acquisitions. The Board of Trustees of the Connecticut State  
237 University System shall establish at each campus a committee which  
238 shall hear appeals of penalties assessed for parking or traffic violations.  
239 The membership of both the committee to establish traffic and parking  
240 regulations and the committee to hear traffic violation appeals shall  
241 include student and faculty representation.

242 Sec. 6. Subsection (f) of section 13a-26 of the general statutes is  
243 repealed and the following is substituted in lieu thereof (*Effective July*  
244 *1, 2006*):

245 (f) The provisions of this part restricting the use and  
246 accommodation of motor vehicle traffic on parkways to  
247 noncommercial vehicles shall not apply to use of the Merritt and  
248 Wilbur Cross Parkways by (1) taxicabs, as defined in section 13b-95, (2)  
249 vanpool vehicles, as defined in section 14-1, as amended, [or] (3)



250 service buses or two-axle, four-wheeled type II, registered school buses  
251 with a gross vehicle weight rating of nine thousand six hundred  
252 pounds or less, which are owned by or under contract to a public,  
253 private or religious school or public school district and which are  
254 engaged in the transportation of school children to and from school or  
255 school activities, provided such service buses conform to the  
256 regulations establishing the maximum weight, length, height or width  
257 of vehicles permitted to use such parkways and such school buses are  
258 no more than ninety-eight inches high, eighty-four inches wide and  
259 two hundred three inches long, or (4) motor vehicles in livery service,  
260 as defined in section 13b-101, provided such motor vehicles cannot  
261 accommodate more than ten passengers. The State Traffic Commission  
262 shall adopt regulations in accordance with chapter 54 establishing the  
263 maximum allowable length and height for any vanpool vehicle using  
264 said Merritt and Wilbur Cross Parkways and, not later than July 1,  
265 1984, publish in the Connecticut Law Journal a notice of intent to adopt  
266 proposed regulations, as defined in section 4-166, reducing the  
267 maximum weight, length, height or width of, or limiting the  
268 registration classes of, motor vehicles permitted to use such parkways,  
269 in order to fully carry out the prohibition on the operation of  
270 commercial motor vehicles on such parkways.

271       Sec. 7. (*Effective from passage*) (a) Notwithstanding the provisions of  
272 section 13b-97 of the general statutes and any regulations issued  
273 thereto, no new taxicab certificates shall be issued during the period  
274 ending one year after the effective date of this section while a task  
275 force studies the regulation of the taxicab industry.

276       (b) There is established a task force to study the state's taxi industry.  
277 Such study shall include, but not be limited to, an examination of (1)  
278 the current taxicab regulatory scheme, (2) the standard for the issuance  
279 of taxicab certificates, (3) the procedure for licensing taxicab operators,  
280 (4) the possible repetition of functions currently existing in taxicab  
281 oversight, (5) procedures surrounding public hearings and the need  
282 and necessity of such hearings, (6) governance and resources, and (7)  
283 any and all other matters that may come to the task force's attention.

284 (c) The task force shall consist of the following members:

285 (1) The Commissioner of Transportation, or the commissioner's  
286 designee;

287 (2) The Commissioner of Motor Vehicles, or the commissioner's  
288 designee;

289 (3) The Secretary of the Office of Policy and Management, or the  
290 secretary's designee;

291 (4) The Commissioner of Consumer Protection, or the  
292 commissioner's designee;

293 (5) Two representatives of the Connecticut Taxicab Association; and

294 (6) The cochairpersons and ranking members of the joint standing  
295 committee of the General Assembly having cognizance of matters  
296 relating to transportation, or their designees.

297 (d) Any member of the task force appointed under subdivision (1),  
298 (2), (3), (4), (5) or (6) of subsection (c) of this section may be a member  
299 of the General Assembly.

300 (e) All appointments to the task force shall be made no later than  
301 thirty days after the effective date of this section. Any vacancy shall be  
302 filled by the appointing authority.

303 (f) The speaker of the House of Representatives and the president  
304 pro tempore of the Senate shall select the chairpersons of the task  
305 force, from among the members of the task force. Such chairpersons  
306 shall schedule the first meeting of the task force, which shall be held no  
307 later than sixty days after the effective date of this section.

308 (g) The administrative staff of the joint standing committee of the  
309 General Assembly having cognizance of matters relating to  
310 transportation shall serve as administrative staff of the task force.

311 (h) Not later than January 1, 2007, the task force shall submit a

312 report on its findings and recommendations to the joint standing  
 313 committee of the General Assembly having cognizance of matters  
 314 relating to transportation, in accordance with the provisions of section  
 315 11-4a of the general statutes. The task force shall terminate on the date  
 316 that it submits such report or January 1, 2007, whichever is later.

317 Sec. 8. (*Effective from passage*) The segment of Route 160 from the  
 318 intersection of Route 160 and Route 99 easterly to its junction with  
 319 Meadow Road in Rocky Hill shall be designated the "Donna  
 320 Askintowicz Witherell Memorial Highway".

321 Sec. 9. (*Effective from passage*) Bridge number 06288 on Route 3  
 322 northbound over the Route 3 ramp number 802 shall be designated the  
 323 "Employer Support of the Guard and Reserve Memorial Bridge".

324 Sec. 10. (*Effective from passage*) State Road 504 in Hartford between  
 325 Flatbush Avenue and the junction of I-84 shall be designated the  
 326 "William J. Hilliard Memorial Highway".

327 Sec. 11. (*Effective from passage*) State Road 530 in Hartford shall be  
 328 designated the "Julian A. Nesta Memorial Highway".

|   |                     |             |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                     |             |
| Section 1   | <i>from passage</i> | 14-262      |
| Sec. 2  | <i>from passage</i> | 14-264      |
| Sec. 3  | <i>from passage</i> | 15-13c      |
| Sec. 4  | <i>from passage</i> | 13a-80(c)   |
| Sec. 5  | <i>from passage</i> | 10a-92      |
| Sec. 6  | <i>July 1, 2006</i> | 13a-26(f)   |
| Sec. 7  | <i>from passage</i> | New section |
| Sec. 8  | <i>from passage</i> | New section |
| Sec. 9  | <i>from passage</i> | New section |
| Sec. 10   | <i>from passage</i> | New section |
| Sec. 11   | <i>from passage</i> | New section |

**Statement of Legislative Commissioners:**

In subsection (c) of section 4, the new language was rewritten for clarity and consistency with statutory form.

**TRA**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

| Agency Affected              | Fund-Effect    | FY 07 \$  | FY 08 \$  |
|------------------------------|----------------|-----------|-----------|
| Department of Transportation | TF - See Below | See Below | See Below |
| Department of Motor Vehicles | TF - See Below | See Below | See Below |

Note: TF=Transportation Fund

**Municipal Impact:** None

**Explanation**

Sections 1 through 6, inclusive, of the bill are technical in nature and have no fiscal impact.

Section 7 of the bill establishes a task force to study the regulation of the taxicab industry. The Department of Motor Vehicles and Department of Transportation will be able to accommodate any additional administrative functions resulting from passage of this section within their anticipated budgetary resources.

Sections 8 through 11, inclusive, of the bill result in a cumulative cost of \$2,800 occurring in FY 07 to the DOT and is as a result of renaming various bridges and roadways identified in this bill. A pair of signs cost \$700, one for each side of the road.

**The Out Years**

There is no fiscal impact in the out years.

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**OLR Bill Analysis**  
**sHB 5664****AN ACT CONCERNING THE DEPARTMENT OF  
TRANSPORTATION.****SUMMARY:**

This bill

1. modifies the state's maximum motor vehicle width law to accommodate certain aspects of recreational vehicles;
2. authorizes vehicles up to 14 feet in height, rather than 13 feet, six inches to operate on Connecticut roads without a special permit;
3. adds two members to of the Connecticut Pilot Commission and makes it, rather than the transportation commissioner, responsible for some areas of pilot regulation;
4. allows livery vehicles of a certain size to use to use the Merritt and Wilbur Cross Parkways;
5. slightly expands the powers of campus traffic regulation committees in the Connecticut State University System;
6. modifies the way the Department of Transportation (DOT) can dispose of certain nonconforming parcels of land it has acquired;
7. declares a one-year moratorium on issuing new certificates for taxicab service and creates a task force to study the state's taxi industry and report to the legislature; and
8. designates commemorative names for three state highway segments and one state bridge.

EFFECTIVE DATE: Upon passage, except the provision allowing use of the parkways by livery vehicles is effective on July 1, 2006.

### **§ 1—WIDTH OF RECREATIONAL VEHICLES**

By law, a motor vehicle, or a vehicle and its load, may not be more than eight feet, six inches wide, exclusive of certain safety devices, such as rear view mirrors, steps, and handholds. There are limited exceptions to this limitation for farm equipment, vehicles loaded with hay or straw, school buses with folding stop signs and external mirrors, and trailers transporting boats not exceeding 4,000 pounds gross weight. Any vehicle that exceeds the width limit must have a special DOT permit to operate on Connecticut roads. The bill creates another exception to the width limit for recreational vehicles with appurtenances, including safety devices and retracted shade awnings that extend no more than six inches on each side of the vehicle, thus allowing these vehicles to be up to nine feet, six inches wide counting these devices.

### **§ 2—INCREASE IN MAXIMUM MOTOR VEHICLE HEIGHT LAW**

Except for a vehicle loaded with hay or straw, current law prohibits any vehicle from operating on Connecticut roads, without a special DOT permit, if the height of the vehicle and any load exceeds 13 feet, six inches. The bill increases the maximum height limit to 14 feet.

### **§ 3—CONNECTICUT PILOT COMMISSION**

The bill expands the membership of the Connecticut Pilot Commission from seven to nine adding the transportation commissioner, or his designee, and a licensed Connecticut pilot. The pilot member must be active and work on the Connecticut side of the rotation system for assigning pilots. The pilot member must be selected by majority vote of pilots operating on the Connecticut side of the rotation system. (DOT regulations establish a rotation system, in conjunction with authorities in New York, through which work piloting vessels through Long Island Sound and to ports in Connecticut and New York is distributed among the pilots each state licenses.)

The bill also expands the role of the commission with respect to certain pilotage matters and increases the threshold at which the commission may exercise its authority and form a quorum to conduct business, from three to five members present at a meeting. Currently, the commission serves entirely in an advisory capacity to the transportation commissioner. Its duties include providing advice on:

1. the required qualifications of pilots for eligibility for licensure, including background, training, length of service, and apprenticeship;
2. examination requirements for getting a pilot or other type of operating license;
3. the appropriate number of state-licensed pilots necessary for the safe, efficient, and proper operation in Connecticut ports and waters, including Long Island Sound;
4. establishing fair and reasonable rates for pilot services, including a hearing process for setting rates and license fees;
5. state policy on a rotation system assigning pilots, issuing of reciprocal licenses to pilots licensed in other states, and matters of interstate pilotage;
6. the enhancement of safety and protection of the marine environment during vessel operations and the prevention of oil spills and other marine incidents;
7. the proper equipment on vessels and the operation of vessels used by pilots to board and disembark;
8. designation of pilot boarding stations;
9. proper safety equipment on vessels to allow pilots to safely board them; and
10. any other matters on which the commissioner asks them for advice.



The bill gives the commission sole authority to determine the first three matters above (qualifications for licensure, examination requirements, and determining the appropriate number of pilots to be licensed). The commission remains an advisory body with respect to the other matters noted above.

Currently, the commission also may perform other acts when the DOT commissioner requests it to. These include

1. assisting in preparing pilot examinations and certificates;
2. evaluating examination results and making recommendations on applicants' qualifications;
3. helping review and monitor pilot performance;
4. reviewing applications for reciprocal licensure and making recommendations on applicants' qualifications;
5. recommending pilots' duties for reporting faulty boarding and disembarkation systems and violations of state law;
6. reviewing and investigating any marine incident or casualty and holding hearings to determine causes;
7. recommending disciplinary measures, including license suspension and forfeiture for matters such as alcohol or drug abuse;
8. retaining an independent investigator to compile a comprehensive factual record of any marine incident or casualty;
9. help review complaints filed with the commissioner; and
10. help prepare any report or matter relating to pilotage.

The bill eliminates the requirement that the commission act in these matters only when the commissioner asks it to. Thus, it gives the

commission independent authority in these areas. It also expands the authority to (1) assist in reviewing and monitoring pilot performance to include compliance with state policies, procedures, and regulations and (2) make recommendations on disciplinary measures to include conducting investigations.

#### **§ 6—USE OF PARKWAYS BY CERTAIN LIVERY VEHICLES**

By law, Connecticut parkways (primarily the Merritt and Wilbur Cross) may be used only by noncommercial traffic. There are limited exceptions for taxicabs, vanpool vehicles, and service buses and small (Type II) school buses that conform to certain weight and size limitations. The bill authorizes livery motor vehicles to use the parkways as long as they do not accommodate more than 10 passengers. The State Traffic Commission (STC) currently has the authority to establish by regulation additional restrictions on maximum vehicle dimensions and registration types.

#### **§ 5—CAMPUS TRAFFIC COMMITTEES**

By law, the Board of Trustees of the Connecticut State University System must appoint a committee at each campus to establish traffic and parking regulations for passenger vehicles on the campus. These committees have broad authority, among other things, to prohibit or limit parking, set speed limits, determine one-way streets subject to the approval of the board and the STC. However, the committees do not have explicit authority to put up stop signs on campus. The bill gives them this authority, thus eliminating the need for the STC to act with respect to stop signs.

#### **§ 4—DOT DISPOSITION OF NONCONFORMING PROPERTY**

By law, DOT must follow certain procedures for disposing of property it acquires for transportation purposes. Currently, if DOT disposes of a parcel that does not meet local zoning requirements for residential or commercial use, it must offer it for sale by bid or auction to all abutting landowners. The bill, instead, allows the commissioner to sell or transfer a parcel to an abutter without the public bid or auction if the sale or transfer will result in the existing property of an

abutting landowner becoming a nonconforming use under local zoning requirements. In effect, the bill allows DOT to sell or transfer such parcels to one abutting owner in those situations where purchase of the parcel by one abutting owner might eliminate all of another landowner's frontage along a state road, thus leaving him landlocked with no access to the road.

### **§ 7—TAXI CERTIFICATE MORATORIUM AND TASK FORCE**

The bill prohibits DOT from issuing any new taxicab certificates for a period of one year from the bill's passage. It creates a 10-member task force to study regulation of the Connecticut taxi industry and report its findings and recommendations to the Transportation Committee by January 1, 2007.

The task force must examine, at least,

1. the current taxi regulatory scheme,
2. standards for issuing taxi certificates,
3. procedures for licensing taxi operators,
4. the possible repetition of current oversight functions,
5. the need for and procedures associated with public hearings in the regulatory process,
6. governance and resources, and
7. any other matters that may come to its attention.

The task force consists of the transportation, motor vehicles, and consumer protection commissioners and the secretary of the Office of Policy and Management, or their designees; the chairpersons and ranking members of the Transportation Committee, or their designees; and two representatives of the Connecticut Taxicab Association. (The bill does not specify who appoints or selects the association's representatives.) Any member of the task force may be a legislator.

The House speaker and Senate president must select the task force co-chairmen from among its members. All appointments to the task force must be made no later than 30 days from the bills passage.

The task force must get administrative assistance from the staff of the Transportation Committee.

### **§§ 8-11—COMMEMORATIVE ROAD AND BRIDGE NAMES**

The bill designates the following commemorative names for three state roads and one bridge:

1. Route 160 from the intersection of Route 160 and Route 99 east to Meadow Road in Rocky Hill as the “Donna Askintowicz Witherell Memorial Highway”;
2. State Road 504 in Hartford from Flatbush Avenue to the junction of I-84 as the “William J. Hilliard Memorial Highway”;
3. State Road 530 in Hartford as the “Julian A. Nesta Memorial Highway”; and
4. Bridge No. 06288 on Route 3 northbound over Route 3 ramp No. 802 as the “Employer Support of the Guard and Reserve Memorial Bridge.”

### **BACKGROUND**

#### ***Related Bill***

sSB 521, requires the transportation commissioner to develop standards for training apprentice marine pilots and prescribe the limitations and conditions governing their employment, training, and supervision. It also sets the method for distributing apprenticeships and the requirements for a pilot association getting its apprentice program approved.

### **COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea    30    Nay   0    (03/13/2006)